

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DAVID A. JOHNSTON,

Petitioner,

vs.

DON ROPER,

Respondent.

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Case No. 4:09CV2080 JCH

**ORDER**

This matter is before the Court on petitioner's motion to proceed in forma pauperis.

Upon consideration of the financial affidavit, the Court has determined that petitioner is unable to afford to pay the filing fee. Consequently, the Court will grant the motion. See 28 U.S.C.

§ 1915.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motion to proceed in forma pauperis is  
**GRANTED.**

Dated this 4th day of January, 2009.

/s/ Jean C. Hamilton

JEAN C. HAMILTON

UNITED STATES DISTRICT JUDGE